

Commonwealth Edison Company
227 West Monroe Street
P.O. Box 767
Chicago, IL 60690-0767

I.I.
10/14/00

October 16, 2000

ComEd

Ms. Verneta J. Simon, P.E.
U.S. Environmental Protection Agency
77 W. Jackson Blvd.
Chicago, IL 60604

EPA Region 5 Records Ctr.



227605

Ms. Simon

This letter is in response to the circumstances surrounding the excavation of 416 E. Grand St.. Hopefully, I can provide some insight on what went awry.

I received a drawing from Greg Whalen, a ComEd Contract Inspector, requesting the procurement of a permit for the Grand Ave. location to install a conduit for service to the parking lot located on the north side of the building. Since this location was in a traffic lane inside the central business district I went to the Traffic Bureau to obtain a traffic plan for approval before getting a street opening permit. After the traffic plan was approved it was faxed to Construction Compliance Division of the Department of Transportation. After the sign off from Construction Compliance, ComEd erred in not including a separate opening permit request when the giving the job to the clerk for permit issuance. The clerk did a street closures permit that included the scheduled excavation in the body of the permit, but did not have the street opening heading at the top, resulting in the environmental restriction and requirements not appearing.

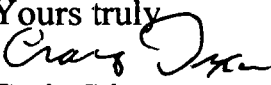
On Monday October 9th, I received a call from Greg Whalen, informing me that he could not get a digger number from the City Of Chicago because the street opening heading was not on the permit. I informed Mr. Whalen that I could not get him a dig number because the city was closed for Columbus Day and that on Tuesday we would call and get the street opening heading on the permit and obtain a digger number. On Tuesday my office called the clerk to add the street opening heading and obtain a dig number for the permit. The clerk called our office back and informed us of the environmental restriction. I called Greg Whalen and informed him of this fact and was told that excavation had already started and that E.P.A. had already stopped the excavation.

There are two main points that need to be emphasized:

1. The City of Chicago's Permitting System was not responsible for the unauthorized excavation since the digger number is required before any excavation is undertaken even with a valid excavation permit which we did not have. Commonwealth Edison is aware of this requirement and should not have let or directed the contractor to excavate until a number was given even with a permit allowing an excavation.
2. Commonwealth Edison is responsible for getting permits and digger numbers for contractors working on our excavations. We made an error in permitting that caused the omission of the environmental contaminants restriction. There were internal communication breakdowns within our company that could have made information relayed to Reliable Construction inaccurate.

I apologize for this unfortunate occurrence. Commonwealth Edison and our contractor made mistakes based on information being given through third parties and being corrupted. I cannot verify what was said to the Reliable Construction, our contractor, since I was not present, but have been told that Denis Conour, a ComEd Contract Inspector, told them that a digger number was issued. The City of Chicago's environmental protections were in place but miscommunication and human error between Commonwealth Edison and Reliable Construction caused an unintentional breach resulting in the excavation.

If any additional information is required call me at 312-394-3260.

Yours truly

Craig Dixon
Senior Real Estate Agent